

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re: NEW YORK CITY ASBESTOS LITIGATION
-----X

LEON N. TERRANO,

Plaintiff,

- against -

FOSTER WHEELER LLC, et al.,

Defendants.

**PLAINTIFFS' NOTICE OF
MOTION TO REMAND**

Civil Action No. 08-CV-4684 (CM)

-----X

PLEASE TAKE NOTICE that upon Plaintiff's Memorandum of Law In Support of His Motion To Remand, Plaintiff's Affirmation In Support of His Motion To Remand, and the previous pleadings and papers in this case, Plaintiff Leon N. Terrano, by his attorneys, Weitz & Luxenberg, P.C., will move this Court before the Honorable Colleen McMahon, at the United States Courthouse, 500 Pearl Street, New York, New York, on a date and at a time to be designated by the Court, pursuant to 28 U.S.C. §1447, to remand this case to New York Supreme Court, County of New York, after its removal to this Court by Defendant Foster Wheeler LLC, and for such other relief as the Court deems just and proper.

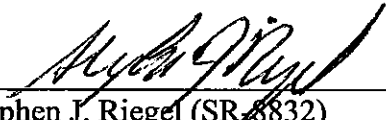
PLEASE TAKE FURTHER NOTICE that any papers in opposition to this motion shall be filed and served upon Plaintiff no later than June 18, 2008, in accordance with the

Individual Practices of Judge Colleen McMahon.

Dated: New York, N.Y. .
June 2, 2008

WEITZ & LUXENBERG, P.C.
Attorneys for Plaintiff
180 Maiden Lane, 17th Fl.
New York, N.Y. 10038

By: _____


Stephen J. Riegel (SR-8832)
(212) 558-5500

TO: All Defendants on the Attached
Service Rider

STATE OF NEW YORK)
 : ss.
COUNTY OF NEW YORK)

BARBARA PARENTE, being duly sworn, deposes and says: deponent is not a party to the action, is over 18 years of age and resides in Staten Island, New York.

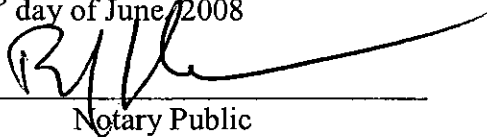
On June 2, 2008, deponent caused the attached **PLAINTIFF'S NOTICE OF MOTION TO REMAND, PLAINTIFF'S AFFIRMATION IN SUPPORT OF HIS MOTION TO REMAND and MEMORANDUM OF LAW IN SUPPORT OF HIS MOTION TO REMAND**, to be served upon:

SEE ATTACHED RIDER

in this action, at the addresses designated by said attorneys for that purpose via FEDERAL EXPRESS for next business day delivery on June 3, 2008.


BARBARA PARENTE

Sworn to before me this
2ND day of June 2008


Notary Public

BENJAMIN ALAN DARCHE
Notary Public, State of New York
No. 02DA6120430
Qualified in New York County
Commission Expires 12/20/2008

Leon N. Terrano Service Rider

JULIE EVANS, ESQ.
 ERIK C. DIMARCO, ESQ.
 WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER
 150 EAST 42ND STREET
 NEW YORK, NY 10017-5639
 PHONE # (212) 490-3000
 FAX # (212) 490-3038
JULIE.EVANS@WILSONELSER.COM
 COUNSEL FOR A.W. CHESTERTON CO.

THEODORE EDER, ESQ.
 SEGAL McCAMBRIDGE SINGER & MAHONEY
 830 THIRD AVENUE, SUITE 400
 NEW YORK, NY 10022
 PHONE # (212) 651-7500
 FAX # (212) 651-7499
TEDER@SMSM.COM
 COUNSEL FOR ANCHOR PACKING CO., BYRON JACKSON PUMPS, GARDNER DENVER, INC., AND GARLOCK SEALING TECHNOLOGIES LLC f/k/a GARLOCK, INC.

LAWRENCE MCGIVNEY, ESQ.
 MCGIVNEY & KLUGER, P.C.
 80 BROAD ST., 23RD FLOOR
 NEW YORK, NY 10004
 PHONE 212 509-3456
 FAX 212 509-4420
LMCGIVNEY@MCGIVNEYANDKLUGER.COM
 COUNSEL FOR AURORA PUMP CO., THE FAIRBANKS CO., AND PATTERSON PUMP CO.

ART BROMBERG, ESQ.
 WEINER LESNIAK LLP
 629 PARSIPPANY ROAD
 P.O. BOX 438
 PARSIPPANY, NJ 07054-0438
 PHONE # (973) 403-1100
 FAX # (973) 403-0010
ABROMBERG@WEINERLESNIAK.COM
 COUNSEL FOR BMCE, INC. f/k/a UNITED CENTRIFUGAL PUMP

PHILIP GOLDSTEIN, ESQ.
 MCGUIRE WOODS LLP
 1345 AVENUE OF THE AMERICAS, 7TH FLOOR
 NEW YORK, NY 10105
 PHONE # (212) 548-2100
 FAX # (212) 715-2315
PGOLDSTEIN@MCGUIREWOODS.COM
 COUNSEL FOR BELL & GOSSETT CO., ITT INDUSTRIES, INC., AND TRANE U.S. INC., f/k/a AMERICAN STANDARD INC.

EDWARD WILBRAHAM, ESQ.
 JOHN HOWARTH, ESQ.
 WILBRAHAM, LAWLER & BUBA
 1818 MARKET STREET, SUITE 3100
 PHILADELPHIA, PA 19103
 PHONE # (215) 564-4141 FAX # (215) 564-4385
EWILBRAHAM@WLBDEFLAW.COM
 COUNSEL FOR BUFFALO PUMPS, INC.

WILLIAM BRADLEY, ESQ.
 JOSEPH CARLISLE, ESQ.
 MARY ELLEN CONNOR, ESQ.
 MALABY, CARLISLE & BRADLEY LLC
 150 BROADWAY
 NEW YORK, NY 10038

PHONE # (212) 791-028500
 FAX # (212) 791-0286
WBRADLEY@MCBLLC.ORG
 COUNSEL FOR CBS CORPORATION, a Delaware Corp., f/k/a/ VIACOM INC., successor by merger to CBS CORPORATION, a Pennsylvania Corp., f/k/a WESTINGHOUSE ELECTRIC CORP., CLEAVER BROOKS CO., J.H. FRANCE REFRACTORIES CO., WARREN PUMPS, INC., AND WEIL-MCLAIN, a division of THE MARLEY CO.

JUDITH YAVITZ, ESQ.

REED SMITH LLP
 599 LEXINGTON AVENUE
 NEW YORK, NEW YORK
 PHONE # (212) 205-6093/6022
 FAX # (212) 521-5450
JYAVITZ@REEDSMITH.COM
 COUNSEL FOR CERTAIN-TEED CORP.

KIRSTEN KNEIS, ESQ.
 KIRKPATRICK & LOCKHART, NICHOLSON, GRAHAM, LLP ONE NEWARK CENTER, 10TH FLOOR NEWARK, NJ 07102 PHONE
 # (973) 848-4000 FAX # (973) 848-4001
KKNEIS@KLNG.COM
 COUNSEL FOR CRANE CO., AND JENKINS VALVES, INC.

WILLIAM MUELLER, ESQ.
 CLEMENTE, DICKSON & MUELLER
 218 RIDGEDALE AVENUE
 MORRISTOWN, NJ 07961
 PHONE # (973) 455-8008
 FAX # (973) 455-8118
WMUELLER@CMT-LAW.COM
 COUNSEL FOR DURABLA MANUFACTURING COMPANY

STEVE KEVELSON, ESQ.
 ONE COZINE AVENUE
 BROOKLYN, NY 11201
 PHONE # (718) 649-4900
 FAX # (718) 649-4902
 COUNSEL FOR EMPIRE ACE INSULATION MFG. CORP.

MICHAEL A. TANENBAUM, ESQ.
 SEDGWICK, DETERT, MORAN & ARNOLD LLP
 THREE GATEWAY CENTER, 12th FLOOR
 NEWARK, NJ 07102-5311
 PHONE: (973) 242-0002
 FAX: (973) 242-8099
MICHAEL.TANENBAUM@SDMA.COM
 COUNSEL FOR FOSTER WHEELER, L.L.C., AND GENERAL ELECTRIC CO.

DAVE SPEZIALI, ESQ.
 SPEZIALI, GREENWALD & HAWKINS, P.C.
 P.O. BOX 1086
 1981 WINFLOW RD.
 WILLIAMSTOWN, NJ 08094
 PHONE # (856) 728-3600
 FAX # (856) 728-3996
 TRIAL COUNSEL FOR FOSTER WHEELER L.L.C., AND GENERAL ELECTRIC CO.

JOHN J. FANNING, ESQ.
 CULLEN & DYKMAN
 177 MONTAGUE STREET
 BROOKLYN, NY 11201
 PHONE # (718) 855-9000
 FAX # (718) 935-1509
JFANNING@CULLENANDDYKMAN.COM
 COUNSEL FOR GOULDS PUMPS, INC.

LISA M. PASCARELLA, ESQ.
 PEHLIVANIAN, BRAATEN & PASCARELLA, LLC
 2430 ROUTE 34
 MANASQUAN, NJ 08736
 PHONE # (732) 528-8888
 FAX # (732) 528-4445
LP@PEHLI.COM
 COUNSEL FOR INGERSOLL-RAND CO.

JOSEPH COLAO, ESQ.
 HELEN CHUNG, ESQ.
 LEADER & BERKON LLP
 630 3RD AVENUE, 17TH FLOOR
 NEW YORK, NY 10017

PHONE # (212) 486-2400
FAX # (212) 486-3099
JCOLAO@LEADERBERKON.COM
COUNSEL FOR IMO INDUSTRIES, INC.

JOHN A. SMYTH, III, ESQ.
MAYNARD, COOPER & GALE, P.C.
1901 SIXTH AVENUE NORTH
BIRMINGHAM, ALABAMA 35203-2618
PHONE # (205) 254-1000
FAX # (205) 254-1999
JSMYTH@MAYNARDCOOPER.COM
COUNSEL FOR KENNEDY VALVE MANUFACTURING CO., INC.

PAUL A. SCRUDATO, ESQ.
SCHIFF HARDIN & WAITE
623 FIFTH AVENUE, SUITE 2800
NEW YORK, NY 10022
PHONE # (212) 753-5000
FAX # (212) 753-5044
PSCRUDATO@SCHIFFHARDIN.COM
COUNSEL FOR OWENS-ILLINOIS, INC.

JAMES M. SKELLY, ESQ.
MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.
530 SAW MILL RIVER ROAD
ELMSFORD, NEW YORK 10523
PHONE # (914) 345-3701
FAX # (914) 345-3743
COUNSEL FOR PREMIER REFRACTORIES, INC. f/k/a ADIENCE/BMI

LINDA YASSKY, ESQ.
SONNENSCHEIN NATH & ROSENTHAL
1221 AVENUE OF THE AMERICAS
NEW YORK, NY 10020
PHONE # (212) 398-5297
FAX # (212) 768-6800
LYASSKY@SONNENSCHEIN.COM
COUNSEL FOR RAPID AMERICAN CORPORATION

Index No. 08-cv-4684 (CM) Year 20

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

~~IN RE: NEW YORK CITY ASBESTOS LITIGATION~~

LEON N. TERRANO,

Plaintiffs,

- against -

FOSTER WHEELER LLC, et al.,

Defendants.

PLAINTIFFS' NOTICE OF MOTION TO REMAND

WEITZ & LUXENBERG, P.C.

Attorneys for

Plaintiff

180 Maiden Lane
New York, NY 10038
(212) 558-5500

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated:

Signature.....

Print Signer's Name.....

Service of a copy of the within

is hereby admitted.

Dated:

Attorney(s) for

PLEASE TAKE NOTICE

Check Applicable Box



NOTICE OF
ENTRY

that the within is a (certified) true copy of a
entered in the office of the clerk of the within named Court on

20



NOTICE OF
SETTLEMENT

that an Order of which the within is a true copy will be presented for settlement to the
Hon. one of the judges of the within named Court,
at
on 20 , at M.

Dated:

WEITZ & LUXENBERG, P.C.

Attorneys for

To:

180 Maiden Lane
New York, NY 10038